

**COMMENT**  
before  
**The Federal Communications Commission**

In the matter of:

**COMMISSION LAUNCHES MODERNIZATION OF MEDIA  
REGULATION INITIATIVE**

**MB Docket No. 17-105**

In response to FCC Public Notice FCC 17-58, released May 18, 2017, Western Inspirational Broadcasters, Inc. (WIBI) wishes to enter into the public record its comments regarding the Commission's stated effort to "*eliminate or modify regulations that are outdated, unnecessary or unduly burdensome*".<sup>1</sup>

WIBI is the licensee of nine (9) full service noncommercial FM broadcast stations and 27 noncommercial FM translators serving numerous communities in four (4) western states.

**Elimination of Section 74.1283(c)(1)**

that states:

*"(c) A translator station authorized under this subpart shall be identified by one of the following methods.*

- (1) By arranging for the primary station whose station is being rebroadcast to identify the translator station by call sign and location. Three such identifications shall be made during each day: once between 7 a.m. and 9 a.m., once between 12:55 p.m. and 1:05 p.m. and once between 4 p.m. and 6 p.m. Stations which do not begin their broadcast before 9 a.m. shall make their first identification at the beginning of their broadcast days. The licensee of an FM translator whose station identification is made by the primary station must arrange for the primary station licensee to keep in its file, and to make available to FCC personnel, the translator's call letters and location, giving the name, address and telephone number of the licensee or his service representative to be contacted in the event of malfunction of the translator. It shall be the responsibility of the translator licensee to furnish current information to the primary station licensee for this purpose."*

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<sup>1</sup> See FCC Public Notice 17-58

WIBI submits that Section 74.1283(c)(1) is “outdated, unnecessary and unduly burdensome”, and proposes its elimination.

## **Narrative in support of the Proposal**

WIBI operates KNIS(FM), Carson City, NV as the satellite hub for its eight (8) other full service FM stations and subsequent rebroadcast on its 27 FM translator stations. In accordance with the Commission’s rule, these FM translators are identified as required by Section 74.1283(c)(1).<sup>2</sup>

Compliance with the requirements of this rule means that three times daily, once between 7 and 9 AM, once between 12:55 and 1:05 PM and once again between 4 and 6 PM KNIS and its satellite facilities must broadcast a list of the associated translators, their call letters and location. To identify all 27 facilities requires approximately two (2) minutes of airtime, for a total of six (6) minutes daily, and annual total of 36.5 hours of programming being devoted to translator identification.

WIBI submits that the FM translator identification information contains no meaningful information for the average listener. The translator call signs consist of the letter K, followed by three (3) numbers and two arbitrarily assigned letters. The three numbers refer to the channel occupied by a particular translator. It is only by referring to a chart of FM channels contained in section 73.201 of the Commission’s rules that the frequency of the associated translator can be determined from a given call sign. It seems highly unlikely the general public is

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<sup>2</sup> FM Translators: K201HM Laramie, WY, K208BR Eureka, NV, K209AU Portola, Etc, CA, K210BC Johnstonville, Etc, CA, K210EK Thermopolis, WY, K210EL Diamondville, WY, K211FG, Battle Mountain, NV, K213BF Quincy, CA , K214EV Winnemucca, NV, K214FA Hawthorne, NV, K219KZ Worland, WY, K220CO South Lake Tahoe, Etc, CA, K220DT Ely, Etc, NV, K226BN Lyman, WY, K232CT Gillette, WY, K236BN Cody, WY, K237FD Evanston, WY, K244DP Lander, WY, K245BH Cowley, Etc, WY, K247AN Big Piney, LaBarge, WY, K257DP Pinedale, WY, K257EO Sheridan, WY, K259CE Chester, Etc, CA, K266AO Lovelock, NV, K269DE Buffalo, WY, K269EG Rawlins, WY, and K273BY Riverton, WY.

even aware of the relevance of the channel numbers in the translator identification. WIBI contends that listeners have no idea that the purpose of these numbers is to facilitate the identification of FM translators which may be unlicensed or causing alleged interference to another licensed broadcast facility. Therefore, it seems evident the public interest would be better served by taking the 36.5 hours a year of translator identification announcements and, instead, using it for programming which would be more meaningful and relevant to the listeners.

WIBI recognizes the importance to the Enforcement Bureau of being able to promptly identify the source of alleged interference to a full service station caused by an FM translator station. WIBI also acknowledges that the intent of the rule is to assist in distinguishing between licensed and unlicensed translator stations. WIBI submits that these objectives are not necessarily being met by the requirements of section 74.1283(c)(1), and that these objectives can be better realized by relying upon the hourly station identification announcements of the primary station.<sup>3</sup>

Given technological advances in remotely accessing FCC databases via smartphones, laptops, and other portable devices, the FCC field staff now has immediate access to relevant information on primary and translator station frequencies, power levels, and locations, as well as alternate technological means for locating sources of interference. These developments make it less likely that staff would waste valuable time listening to translator station identification announcements as an aid in their investigations.

The Commission has seen fit to issue waivers of this Rule.<sup>4</sup>

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<sup>3</sup> The alternative methods of FM translator station identification, as outlined in 74.1283(c)(2) would be cost-prohibitive, particularly for a non-profit noncommercial licensee attempting to conserve scarce resources.

<sup>4</sup> By letter dated March 8, 1977 the Commission waived this rule in connection with the station identification of FM translators rebroadcasting the programs of commercial FM station KSL-FM, Salt Lake City, UT. By letter dated December 21, 1988, the commission waived the rule in connection with the station identification of noncommercial educational translators rebroadcasting

In summary, WIBI believes that there is no useful public interest or regulatory purpose served by the present method of FM translator identification announcements required by 74.1283(c)(1). The general public is not given the practical information necessary to resolve an individual case of alleged FM translator interference, nor is it practical in terms of the noncommercial educational format and operation of a network of FM translators to require separate identification announcements for each translator, as is the current practice. The hourly identification of the primary station should suffice to resolve any alleged interference problem caused by an FM translator. Technological advances give FCC staff sufficient additional tools to aid in their investigations, and FCC waivers of the rule support the elimination of this “outdated, unnecessary and unduly burdensome” rule.

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the programs of noncommercial educational station KUER(FM), Salt Lake City, UT. By letter dated July 2, 1997, the Commission waived the rule in connection with the station identification of FM translators which rebroadcast the programming of noncommercial educational station KUWR(FM), Laramie, WY.